

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

ELOIS P. RUSSELL,	:	
	:	
Claimant,	:	
	:	
v.	:	CASE NO. 1:07-CV-157 (WLS)
	:	Social Security Appeal
MICHAEL J. ASTRUE,	:	
Commissioner of Social Security,	:	
	:	
Respondent.	:	

RECOMMENDATION

Presently pending before the Court is Claimant's counsel's Motion for Attorney's Fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). As allowed by the EAJA, counsel filed a motion for attorney's fees and costs on September 14, 2009, in the amount of \$7,997.14 for attorney work hours and \$197.53 for costs, for a total of \$8,194.67. (R-28). Defendant has no objection to the dollar amount requested by Claimant's counsel under the EAJA. Accordingly, Claimant's counsel has met his burden, and it is recommended that the Motion for Attorney's Fees under the EAJA be granted in the amount requested.

WHEREFORE, it is the recommendation to the United States District Judge that Plaintiff's Motion for Attorney's fees pursuant to 28 U.S.C. § 2412 (d) be **GRANTED** and that payment be paid and forwarded directly to Plaintiff's counsel in the amount of \$8,194.67. Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve and file written objections to the Recommendation with the United States District Judge within ten (10) days

after being served a copy.

SO RECOMMENDED, this 20th day of January, 2010.

S/ G. MALLON FAIRCLOTH
UNITED STATES MAGISTRATE JUDGE

eSw